

**New Carlisle Town Council**  
**124 E. Michigan Street, New Carlisle, Indiana**  
**General Meeting, February 26, 2013**

The meeting was opened with the Pledge of Allegiance

President Colpitts called the meeting to order with Vice President Higgins, Council Member Gelow, Council Member Vojtko and Clerk-Treasurer Susan Moffitt present. Council Member Carter was absent. Also in attendance were Andrea Halpin, Pat Cummings, Jack Mell, Mary Ann Swope, Jeff Roseboom, Jill Doll, Davey Doll, Josh Schweizer, Jamie Middlebrook, Tim Kaminski and Mike Shilts.

**Minutes**

A motion to accept the minutes of the February 12, 2013 General Meeting as written was made by Council Member Vojtko and seconded by Vice President Higgins. Motion passed 4-0.

**Employee Reports**

Andrea Halpin

Updated the Council on the status of the Town of New Carlisle vs. Mane Attraction, Inc.

Andrea advises that Mane Attraction Inc. agreed to the \$902.90 judgment that is currently accruing interest. Ms. Keigley has paid a total of \$207.90 towards the judgment and now wishes to pay an additional \$200 for a total of \$407.90 as complete settlement. The Town has the option to accept, reject or counter her settlement offer. Andrea advised that she does continue to do business but is no longer a corporation so obtaining a settlement could be difficult.

Vice President Higgins expressed concern about the cost of legal fees as opposed to the amount we can collect.

Andrea stated that court costs for the attorneys are negligible as they are already in court regularly. What is costing the Town is answering the ongoing correspondence received from Ms. Kiegley's legal counsel. She feels that the Council tried to work with Ms. Keigley and be friendly which was a good thing to do but it has, however, not worked.

Council Member Vojtko stated that there are a lot of people in Town who try to do the right thing but this person has not and he feels that we should reject the offer. He feels that the principle is more important at times.

Vice President Higgins feels that we need to be careful about setting precedence.

Following much discussion Council Member Vojtko moved to reject the offer made by Ms. Keigley. The motion was seconded by Vice President Higgins and a voice vote followed:

Council Member Vojtko	Aye	Council Member Gelow	Nay
Vice President Higgins	Aye	President Colpitts	Aye

The motion passed 3-1.

Andrea will submit a letter to Ms. Keigley's attorney stating that the Council has rejected her offer and will continue to try to collect the judgment.

They have been working on preparation of the Refuse Removal Contract with some question regarding the length of contract allowable.

Pat Cummings

2013 Sidewalk Project plans will be ready soon.

The RFPs for TE Project Engineering are due March 5<sup>th</sup> and will need to be scored as soon as possible. He should receive the scoring from INDOT and expects that information by the following week.

Budget estimate for the sidewalk project to do Michigan Street from Cherry to Meridian on the north and south sides is \$100,000. To complete the south side of Michigan all the way to the new sidewalk at Thunderbird would be an additional \$30,000.

President Colpitts explained that as a cost saving measure, the Town engineer will no longer be attending every meeting.

### **Ordinances and Resolutions**

- Ordinance #1269 – An Ordinance of Compensation for the Town of New Carlisle

A motion to waive the rules and allow for the adoption of Ordinance #1269 on the day of its introduction was made by Council Member Vojtko and seconded by Council Member Gelow. Motion passed 4-0.

President Colpitts read Ordinance #1269 in its entirety.

Vice President Higgins moved to adopt Ordinance #1269. The motion was seconded by Council Member and passed 4-0.

- Ordinance #1270 – an Ordinance of the Town of New Carlisle amending the Town Code, Title XV Land Usage, Chapter 152, Zoning, by adding a new Sub-Chapter 152.392, combined hearing procedure.

Ordinance #1270 was read by caption only for the 1<sup>st</sup> reading.

Vice President Higgins moved to forward Ordinance #1270 to the APC for review and recommendation. Seconded by Council Member Vojtko, the motion passed 4-0.

**Council Reports**

Vice President Higgins

The Park Board met recently and tallied the Park Survey information. They will meet again soon to review the information.

President Colpitts

Discover New Carlisle submitted their January 29<sup>th</sup> meeting minutes as well as their January financial statement.

Community Days has been done the last couple of years and he does not have time any longer to organize it. Marvin LaRue has expressed interest in representing the Town for the project this year and suggests we appoint Mr. LaRue to represent the Town in the planning and organization of Community Days. The Council expressed agreement to Mr. LaRue representing the Town.

President Colpitts submitted two conflict of interest forms to the attorney and to the Clerk-Treasurer. These will be forwarded to the County Clerk as well as State Board of Accounts.

Read his 2013 State of the Town letter. This is available in the Clerk's Office for review.

**Clerk-Treasurer's Report**

Sue presented a copy of the Clerk-Treasurer's Annual Report that was advertised and submitted this week.

**Bills to be Paid**

Vice President Higgins moved to pay all bills as presented. The motion was seconded by Council Member Gelow and passed 4-0.

**Adjournment**

Upon a motion by Vice President Higgins and second by Council Member Vojtko, the meeting was adjourned at 5:38 PM.

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Ronald Colpitts, Council President

Attest:

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Susan I. Moffitt, Clerk-Treasurer